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December 17, 1997

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RECEIVED
DEC 17 1997
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Advanced Television Systems and Their Impact upon the
Existing Television Broadcast Service
MM Docket No. 87-268
Comments

Dear Ms. Salas:

WRNN-TV Associates Limited Partnership, L.P., licensee of television Station WRNN-TV, Kingston, New York, through counsel, hereby submits the original and five copies of its comments in the above-captioned proceeding. These comments are filed pursuant to the Commission's Public Notice of December 2, 1997.

The attached engineering statement is a facsimile copy. The original copy will be filed upon receipt.

Please contact the undersigned if you have any questions.

Sincerely yours,


Ann K. Ford
Michael Ruger

Enclosures

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In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the) MM Docket No. 87-268
Existing Television Broadcast)
Service)

To: The Commission

COMMENTS IN OPPOSITION

1. WRNN-TV Associates Limited Partnership ("WRNN"), licensee of Station WRNN-TV, Kingston, New York, through counsel, hereby files these comments in opposition to the revised DTV Table of Allotments filed by the Association for Maximum Service Television, Inc. ("MSTV") on November 20, 1997. Specifically, MSTV's proposed move of Station WRNN-TV to DTV Channel 60 is completely unacceptable, clearly not in the public interest and should be dismissed forthwith.

Background

2. Station WRNN-TV, which currently operates on NTSC Channel 62, provides regional news programming to its community of license and to communities throughout the New York City Area of Dominant Influence ("ADI"). Unlike the vast majority of television stations, Station WRNN-TV will not have the option of returning to its NTSC channel following the DTV transition period, as the station operates outside of the "core spectrum."

3. In the Sixth Report and Order (FCC 97-115, released April 21, 1997) in the above-captioned proceeding, the Commission allotted DTV Channel 21 for Station WRNN-TV. WRNN has filed a

petition for reconsideration of that allotment, requesting the allotment of DTV Channel 48 in lieu of DTV Channel 21. WRNN explains in its petition for reconsideration that the allotment of DTV Channel 48 to Kingston will result in a dramatic reduction of net interference as compared to DTV Channel 21.¹

Discussion

4. WRNN strongly objects to MSTV's proposed allotment of DTV Channel 60 for Station WRNN-TV. WRNN is not a member of MSTV, was not part of the process of developing an alternate DTV Table of Allotments and was not consulted about the proposed substitution. MSTV's proposal would place Station WRNN-TV, an independent station in the nation's largest ADI, in the untenable position of being the only television station in its market that is required to move twice during the DTV process--once from its existing NTSC channel to Channel 60, and then from DTV Channel 60 to whatever DTV channel eventually opens in the core spectrum. The second move would potentially cost WRNN hundreds of thousands of dollars, both in equipment and in advertising to inform the viewing audience of that second disruption. The resulting audience confusion, in turn, will likely lead to further losses through decreased viewership. As a result, viewers throughout the New York ADI risk losing the unique regional news programming offered by Station WRNN-TV.

¹WRNN Petition for Reconsideration in MM Docket No. 87-268, filed June 13, 1997, at 3-4.

5. Furthermore, as demonstrated by the attached engineering statement, MSTV's proposal would result in the allotment of DTV Channel 60 at Kingston at less than maximum power.² WRNN should not receive a DTV channel at less than maximum power in order to accommodate the interests of the members of MSTV. Such a result would only serve to harm the viewers of WRNN's unique regional news programming.

Conclusion

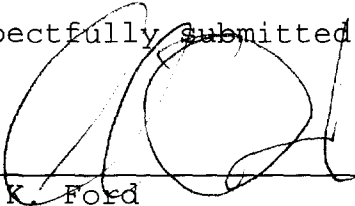
6. In evaluating MSTV's proposed changes to the DTV Table of Allotments, the Commission should remain mindful that the proposals reflect the interests of some, but certainly not all, broadcasters. Indeed, Paxson Communications Corporation placed a full page advertisement in Broadcasting and Cable in which it expresses its objection to MSTV's proposed moves of eight of its channels from the core spectrum.³ WRNN, which was not part of the MSTV process, stands to suffer serious financial harm and viewer disruption as a result of MSTV's proposals. Moreover, the public interest would not be served by creating a financial hardship for WRNN that could likely eliminate its ability to continue to provide locally-produced regional news programming to its community of license and ADI. Accordingly, WRNN strongly

²The engineering statement is attached as Exhibit 1.

³Broadcasting and Cable, December 15, 1997, at 41. A copy of the advertisement is attached as Exhibit 2.

objects to the MSTV proposal to allot DTV Channel 60 to Station WRNN-TV and renews its request for the allotment of DTV Channel 48 for the reasons stated in its petition for reconsideration.⁴

Respectfully submitted,



Ann K. Ford
Michael Ruger

Counsel for WRNN-TV Associates
Limited Partnership

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Telephone (202) 861-1500

Filed: December 17, 1997

⁴Alternatively, the Commission could allot DTV Channel 27 for use by Station WRNN-TV. See Exhibit 1, Engineering Statement.

Exhibit 1

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Advanced Television Systems
and Their Impact Upon the
Existing Television Broadcast
Service

MM Docket No. 87-268

To: The Commission

Comments added to Ann Ford's
Attorney for WRNN-TV L.P.
by David Bingham, C.E. WRNN-TV, Kingston, NY

I, David H. Bingham, Chief Engineer of WRNN-TV, Kingston, NY, have reviewed the MSTV allotments and make the following comments.

WRNN asks for full power as expressed in FCC rules 73.622(f).

WRNN is licensed as a full power, 5000 Kw ERP channel 62, NTSC and desires the equivalent full power DTV, 500 Kw ERP. Presently height does not de-rate a UHF NTSC channel until the 600 meters HAAT is exceeded. WRNN asks the equivalent in this process. The MSTV allocates only 198.6 Kw. less required.

Channel 60 does not work. Channel 60 will have to be changed again in the process and will likely have to be done before NTSC is discontinued.

In its previous petition, WRNN asked for Channel 48. All channel allotments under the FCC present rules have many compromises of Part 73.623 dealing with spacing requirements in the Northeast United States. Channel 48 offers low interference and spacing compromises in the **areas that WRNN serves**, the mid-Hudson Valley, the Northern New York City Suburbs, and Northern New York City. The Mountains East and West of WRNN does provide separation equivalent to the separation that Part 73.623 intends.

Alternately, Channel 27 would work for WRNN. Channel 27 is presently allotted to WTBY, Hudson Valley, Poughkeepsie, NY in both the present FCC proposal and the MSTV proposal. Kingston, NY and Poughkeepsie being relatively close, channel 27 will work for WRNN as well. In that case, channel 48 could be assigned to Poughkeepsie. WTBY, Channel 54, Poughkeepsie, NY has its transmitter location at 26 Km from WRNN's, channel 62, Kingston, NY, transmitter site. Short spacings of channel 27 for WRNN are again in directions and over areas not served by WRNN. Channel 48 could possibly work better for WTBY, Poughkeepsie.

WRNN-TV desires to start and use the DTV allotment as soon as practical. WRNN's unique format, 24 hour News, is enhanced by DTV. A permanent channel allotment is a critical factor in using the channel at the earliest opportunity. A temporary allotment of channel 60 would likely cause WRNN to have to wait until a better channel is allotted (which is likely within several years to clear channel 60), thus stretching the time WRNN-TV would need to use channel 62 for NTSC. The FCC should consider this factor in allotting channels to existing NTSC channels 60-69. A good DTV allotment is likely to encourage a faster clearing of channels 60-69.

Respectively Submitted

A handwritten signature in dark ink, appearing to read 'David H. Bingham', is written over a solid horizontal line.

David H. Bingham
Chief Engineer, WRNN-TV
December 17, 1997

Exhibit 2



Paxson Communications Corporation

December 15, 1997

Mr. Edward O. Fritts
President/CEO
National Association of Broadcasters
1771 N Street, N.W.
Washington, D.C. 20036-2891

Dear Eddie:

We are writing to you on behalf of Paxson Communications Corporation ("PCC"), an NAB member for many years, the largest operator of television stations in the United States and the owner of the seventh television broadcast network to be launched in 1998. PCC finds itself in the discomforting position of having its trade association take a position contrary to PCC on a vitally important issue.

As you know, perhaps the single most important issue facing the television broadcasting industry today is the implementation by the Federal Communications Commission ("FCC") of the transition to digital television (DTV) and specifically the adoption of a final Table of Allotments whereby each existing television broadcaster will be assigned a designated DTV channel, together with power and siting limitations. On November 20, 1997, NAB joined with three broadcast groups and The Association for Maximum Service Television, Inc. ("MSTV") in an FCC filing that proposed 357 changes to the currently proposed DTV Table of Allotments. The MSTV proposals would cause increased and severe hardship for PCC resulting in a net population loss for PCC's stations of over one-half million people. For example, under the MSTV plan, 11 of PCC's stations would move to higher channels and 8 of PCC's stations would be removed from the "core" spectrum.

PCC is extremely concerned with NAB's participation in the MSTV filing that is severely harmful to PCC and other NAB members. Since PCC is not a member of MSTV, it does not harbor any illusions that it can influence what that group does nor does PCC wish to interfere with the ability of other broadcast groups to participate in FCC proceedings. However, as a loyal and long-standing NAB member, PCC believes that NAB's procedures must provide a mechanism for matters, as substantial as DTV, to be fully considered and acted upon by the NAB Board before important filings are made with the FCC.

PCC is neither asking that NAB adopt PCC's position nor that NAB refrain from FCC filings in which PCC is not in total agreement. Rather, PCC is asking that there be an opportunity for NAB members to bring all viewpoints to bear before the NAB Board prior to NAB taking an official position. Regarding the issue at hand, PCC believes that it should have had the opportunity to convince the Board that the MSTV plan potentially harms as many NAB members as it helps and, as such, should not have been officially supported by NAB in any manner.

PCC desires the opportunity now to attempt to convince NAB to put in place procedures that will require full Board approval prior to official NAB actions in matters of such industry significance as DTV. Conceivably, this could be accomplished by more frequent Board meetings, or by procedures permitting telephonic board meetings or, in this computer age, by other electronic means. PCC would like to present its proposals for change to the NAB at its earliest opportunity and would thereby request your cooperation in helping PCC bring this issue to the NAB Board. It is our understanding that NAB Board Meetings are scheduled for January, 1998 and PCC would like this issue presented at that time.

We would appreciate it if you could get back to us to let us know what PCC needs to do to attempt to change the existing NAB Board procedures.

Sincerely,

Lowell W. Paxson
Chairman/CEO

Dean Goodman
President - Pax Net Television

cc: Henry L. Baumann, Esq.
Board Members



Paxson Communications Corporation

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An American Stock Exchange Company Symbol PAX

Website pax.net